

# HOUSE . . . . . No. 1513

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## The Commonwealth of Massachusetts

PRESENTED BY:

**David P. Linsky**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act further regulating the appointment of certain guardians.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David P. Linsky	5th Middlesex
Barbara A. L'Italien	18th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1578 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT FURTHER REGULATING THE APPOINTMENT OF CERTAIN GUARDIANS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1       SECTION 1. Chapter 201 of the General Laws is hereby amended by inserting the  
2 following section:—

3  
4       Section 6C. In appointing a guardian for a person eighteen years of age or older under the  
5 provisions of sections six, six A or six B, the parent or parents of such person shall be presumed  
6 to be the proper person or persons to be appointed by the court. Such presumption may be  
7 rebutted by the introduction of competent evidence. A parent or parents wishing to designate a  
8 third party to serve as guardian of such person may freely elect to do so without prejudice. In  
9 such instances, the party so designated shall be presumed to be the proper person to be appointed  
10 by the court. Such presumption may be rebutted by the introduction of competent evidence.